



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States Courthouse
300 Quarropas Street
White Plains, New York 10601*

January 5, 2016

BY ECF

The Honorable Kenneth M. Karas
United States District Judge
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *United States v. Anthony Grecco, S6 14 Cr. 760 (KMK)*

Dear Judge Karas:

The Government writes to clarify a point in its letter of November 20, 2015. In that letter, the Government asked for an *in limine* ruling that certain text message exchanges between two cooperating witnesses ("CC-1" and "CC-2") are admissible. In one of those exchanges, CC-2 writes to CC-1 that "In not gonna lie though I'm still kinda curious about what went down with Ant and 'dead dude' Lol." The evidence at trial would show that "Ant" is a reference to the defendant, and "dead dude" is a reference to Ryan Ennis, the victim in this case.

The November 20 letter suggests that Grecco expressly stated that he killed Ennis. That is incorrect. Rather, Grecco conveyed through various statements and actions that he had killed Ennis (without stating so explicitly) and CC-2 was asking whether CC-1 believed that Grecco had actually killed Ennis. That said, the Government respectfully submits that whether Grecco conveyed information explicitly or implicitly has no bearing on the hearsay analysis or on the admissibility of the text messages.

Respectfully submitted,

PREET BHARARA
United States Attorney

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